

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WAYNE BALIGA, derivatively on behalf of
LINK MOTION INC. (F/K/A NQ MOBILE INC.)

Plaintiff,

-against-

LINK MOTION INC. (F/K/A NQ MOBILE INC.),
VINCENT WENYONG SHI,
JIA LIAN,
XIAO YU,

Defendants,

-and-

LINK MOTION INC. (F/K/A NQ MOBILE INC.),

Nominal Defendant.

Civil Action No.: 1:18-cv-11642

**DECLARATION OF MICHAEL
JAMES MALONEY**

MICHAEL JAMES MALONEY declares, pursuant to 28 U.S.C. 1746, as follows:

1. I am an attorney duly admitted to practice law before the United States District Court for the Southern District of New York. I am counsel of record for defendant Vincent Wenyong Shi (“Shi”).

2. I make this declaration in opposition to the motion by Plaintiff for an order of contempt and in support of Shi’s motion to dismiss and to dissolve the receivership.

3. Annexed hereto as **Exhibit 1** is a true and correct copy of an Affirmation of Robert W. Seiden, dated February 21, 2019, submitted in the High Court of the Hong Kong Administrative Region (“Hong Kong court”).

4. Annexed hereto as **Exhibit 2** is a true and correct copy of an Affidavit of Randall Ivan Arthur, the Receiver’s Hong Kong counsel, dated February 22, 2019, submitted to the Hong Kong court.

5. Annexed hereto as **Exhibit 3** is a true and correct copy of an Affidavit of Rebecca Hume, the Receiver's Cayman Islands counsel, dated February 26, 2019, submitted to the Hong Kong court.

6. Annexed hereto as **Exhibit 4** is a true and correct copy of the Sixth Amended and Restated Memorandum of Association of Netqin Mobile, Inc. (n/k/a Link Motion Inc.) obtained from the "EDGAR" website operated by the S.E.C ("EDGAR").

7. Annexed hereto as **Exhibit 5** is a true and correct copy of a press release from NQ Mobile Inc., dated May 6, 2016, obtained from EDGAR.

8. Annexed hereto as **Exhibit 6** is a true and correct copy of a press release from NQ Mobile Inc. dated May 17, 2016, obtained from EDGAR.

9. Annexed hereto as **Exhibit 7** is a true and correct copy of a press release from NQ Mobile Inc. dated August 9, 2016, obtained from EDGAR.

10. Annexed hereto as **Exhibit 8** is a true and correct copy of a press release from NQ Mobile Inc. dated August 25, 2016, obtained from EDGAR.

11. Annexed hereto as **Exhibit 9** is a true and correct copy of a press release from NQ Mobile Inc. dated November 2, 2016, obtained from EDGAR.

12. Annexed hereto as **Exhibit 10** is a true and correct copy of a press release from NQ Mobile Inc. dated January 23, 2017, obtained from EDGAR.

13. Annexed hereto as **Exhibit 11** is a true and correct copy of an excerpt of a Form 20-F annual report for NQ Mobile Inc. for the fiscal year 2015, obtained from EDGAR.

14. Annexed hereto as **Exhibit 12** is a true and correct copy of an excerpt of a Form 20-F annual report for NQ Mobile Inc. for the fiscal year 2016, obtained from EDGAR.

15. Annexed hereto as **Exhibit 13** is a true and correct copy of a Notice of Arbitration between Zhongzhi Hi-Tech Overseas Investment Ltd. and Link Motion Inc. dated December 20, 2018 in the matter of an arbitration under the 2018 Hong Kong International Arbitration Centre Administered Arbitration Rules.

16. Annexed hereto as **Exhibit 14** is a true and correct copy of an Interim Order for Injunction Prohibiting Disposal of Assets issued the Hong Kong court at the request for Mr. Seiden.

17. Wherefore, Defendant Vincent Wenyong Shi respectfully requests the Court to enter an Order (i) denying the motion for an order of contempt; (ii) dismissing the action; (iii) dissolving the preliminary injunction; and (iv) discharging the receiver, and granting such other and further relief as the Court deems just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 27, 2019

/s/ Michael James Maloney
Michael James Maloney